

PROB 12C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: James Tyler

Cr.: 03-CR-603

Name of Sentencing Judicial Officer: The Honorable Stanley R. Chesler

Date of Original Sentence: 8/2/2004

Original Offense: Possession and Affecting Commerce of a Firearm, in violation of Title 18: U.S.C. § 922(g)(1) & 2

Original Sentence: 46 months imprisonment, followed by 3 years supervised release with special conditions for drug testing and treatment, financial disclosure and to pay a \$2,000 fine and \$100 Special Assessment

Date of 1st Violation Sentence: 7/22/2009

Violation Offense: Failure to Notify USPO of a Change of Address, Failure to Appear for Drug Testing, Failure to Submit Monthly Supervision Reports

Violation Sentence: Time Served (one month) followed by 2 years supervised release, with special conditions to obtain and maintain employment, and all other conditions as originally ordered on 8/2/2004.

Date of 2nd Violation Sentence: 3/30/2010

Violation Offense: Failure to Comply with Halfway House Regulations, Failure to Maintain Employment, Positive Urine Tests.

Violation Sentence: 2 years supervised release term of 7/22/09 continued and another 3 month halfway house term ordered as a condition. All other special conditions from 8/2/2004, and 7/22/09 remain.

Type of Supervision: Supervised Release
Assistant U.S. Attorney: James Hoffman

Date Supervision Commenced: 11/14/06
Defense Attorney: Brian Reilly

PETITIONING THE COURT

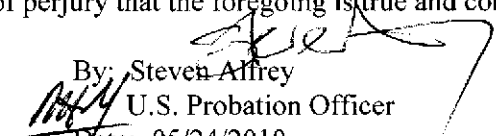
- ☐ To issue a warrant
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 The offender has violated the special condition which states, **'The defendant shall reside for a period of 3 months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall not be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.'** The offender commenced a halfway house placement at the Luzerne Facility in Philadelphia on May 3, 2010 as ordered at the violation of supervised release hearing on March 30, 2010. On May 19, 2010, the offender was unsatisfactorily discharged from the facility due to noncompliance with program rules. Specifically, the offender had curfew violations, insolence towards staff, and two instances of refusing to obey orders. A review of the program reports indicate the offender was an hour late returning from a social pass, he stated to a staff member administering a urine test, "you fucking asshole, and "fag." Reports also indicate he refused a direct order to complete his assigned cleaning detail to sweep and mop the lobby floor.
- 2 The offender has violated the standard condition which states, **'The defendant shall report to the probation officer as directed by the Court or probation officer and shall complete written report within the first five days of each month.'** The offender failed to report to the U.S. Probation Office in the Eastern District of Pennsylvania on May 19, 2010, and again on May 21, 2010, as directed.

I declare under penalty of perjury that the foregoing is true and correct.

By:  Steven Alfrey
U.S. Probation Officer
Date: 05/24/2010

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other


Signature of Judicial Officer

5/28/2010
Date